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Date of Deposit: October 11, 2002

Attorney Docket No. 17810-510 NATL (SCI-10 NATL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 1647 Examiner: Not Yet Assigned  
Applicants: Buck et al.  
Serial No: 09/890,469  
Filing Date: February 11, 2000  
For : ENRICHED CENTRAL NERVOUS SYSTEM STEM CELL AND  
PROGENITOR CELL POPULATIONS, AND METHODS FOR  
IDENTIFYING, ISOLATING, AND ENRICHING FOR SUCH  
POPULATIONS

October 11, 2002  
Boston, Massachusetts

BOX IDS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed herewith are the following documents for filing in the above-identified non-provisional patent application:

- ☒ Information Disclosure Statement (2 pages.);
- ☒ Modified Form 1449/PTO, in duplicate (2 pages); and
- ☒ Postcard.

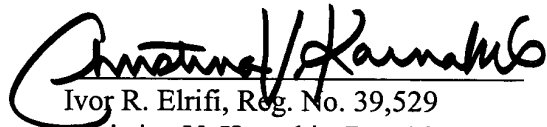
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Although Applicant believes that no fee is due with this filing, the Commissioner is hereby authorized to charge any fee that may be due to Deposit Account No. 50-0311 (Reference No. 17810-510 NATL (SCI-10 NATL)). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,



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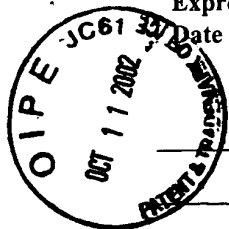
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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

- ☐ This Information Disclosure Statement is being filed:  
within three months of the filing date of the National Application;  
☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or  
☒ before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is required. 37 C.F.R. §1.97

Copies of each of the above-identified references are enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form

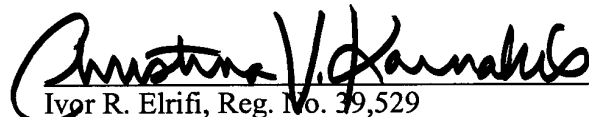
Applicant: Buck, et al  
Serial No.: 09/890,469

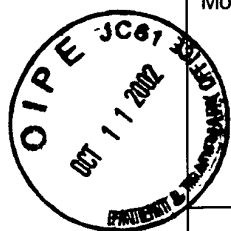
PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 17810-510 NATL.

Respectfully submitted,

  
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Christina V. Karnakis, Reg. No. 45,899  
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Modified Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/890,469
	<b>Filing Date</b>	November 3, 2001
	<b>First Named Inventor</b>	Buck, <i>et al.</i>
	<b>Group Art Unit</b>	1647
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	17810-510 NATL (SCI-10 NATL)

#### U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A1	5,750,376	05/12/98	Weiss <i>et al.</i>			06/07/95
	*A2	5,753,506	05/19/98	Johe			09/25/96
	*A3	5,843,633	12/01/98	Yin <i>et al.</i>			04/26/96
	*A4	5,851,832	12/22/98	Weiss <i>et al.</i>			06/07/95
	*A5	5,968,829	10/19/99	Carpenter			09/05/97

#### FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	*B1	WO 00/12683	Wilson, <i>et al.</i>	March 9, 2000	
	*B2	WO 94/02593	Anderson, <i>et al.</i>	Feb. 3, 1994	

#### OTHER DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	*C1	AC133 Cell Isolation Kit: Preliminary Product Information, MACS, MAGNETIC CELL SORTING OF HUMAN CELLS (Miltenyi Biotec, Auburn, CA), at 14.11.
✓	*C2	Corbeil <i>et al.</i> , AC133 Hematopoietic Stem Cell Antigen: Human Homologue of Mouse Kidney Prolimin or Distinct Member of a Novel Protein Family? 91 BLOOD 2625 (1998).
	*C3	De Wynter <i>et al.</i> , Characteristics of MACS Isolated CD34+AC133+ Hematopoietic Progenitor Cells, 2 MACS & MORE 8 (1998).
	*C4	Miraglia <i>et al.</i> , AC133, A New Antigen for Human Hematopoietic Stem Cells. Is Prolimin the Murine Homologue? 2 MACS & MORE 6 (1998).
	*C5	Miraglia <i>et al.</i> , A Novel Five-Transmembrane Hematopoietic Stem Cell Antigen: Isolation, Characterization, and Molecular Cloning, 90 BLOOD 5013 (1997).
✓	*C6	Miraglia <i>et al.</i> , A Response to AC133 Hematopoietic Stem Cell Antigen: Human Homologue of Mouse Kidney Prolimin or Distinct Member of a Novel Protein Family? 91 BLOOD 4390 (1998).
	*C7	Yin <i>et al.</i> , AC133, A Novel Marker for Human Hematopoietic Stem and Progenitor Cells, 90 BLOOD 5002 (1997).
	*C8	Uchida <i>et al.</i> Society for Neuroscience Abstracts 25 (1-2): 1767 (1999)
✓	*C9	Weigmann <i>et al.</i>
✓	*C10	Corbeil <i>et al.</i> , Journal of Cell Science, 112:1023-1033 (1999).
✓	*C11	International Search Report for PCT/US00/03592
	*C12	CD133 Cell Isolation Kit, MACS, (Miltenyi Biotec, Auburn, CA) (downloaded 12/11/2001)

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Date of Deposit: October 11, 2002

\*a copy of this reference is not provided as it was previously cited or submitted to the office in a prior application, Serial No. 09/422,844, filed 10/21/99, and relied upon for an earlier filing date under 35 USC §120 (continuation,, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.

Kindly include a copy of this form with next communication to Applicants.

TRA 1721581v1